

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:

Iowa Gaming Company, LLC, et al.,

Debtors.

Chapter 11

Case No. 14-13904 (REF)

(Jointly Administered)

STIPULATION REGARDING ADDITIONAL FACTS

The above-captioned debtors and debtors in possession (the "Debtors"), State of Iowa and Iowa Racing and Gaming commission ("IRGC"), Missouri River Historical Development ("MRHD"), and SCE Partners, LLC ("SCE"), by and through their undersigned respective counsel, hereby stipulate to the following facts to be included as a supplement to the record of the hearings held on June 9, 2014 and June 10, 2014 on the Joint Motion of IRGC, MRHD and SCE for Entry of an Order Pursuant to Section 1112(b) of the Bankruptcy Code Dismissing the Debtors' Chapter 11 Cases (the "Dismissal Motion") and the objection thereto filed by the Debtors.

1. On July 25, 2014, the Iowa Supreme Court entered an order (the "Supreme Court Stay Order") (a) denying the application of Debtor Belle of Sioux City, LP ("Belle") for a stay pending appeal of the order (the "District Court Order") of the Iowa District Court dated July 14, 2014 denying Belle's petition for review of the order (the "IRGC Order") of the IRGC dated April 17, 2014, and (b) lifting, as of 5:00 p.m. on July 30, 2014, an emergency stay which had been previously granted by the Iowa Supreme Court.
2. As a result of the entry of the Supreme Court Stay Order, the Argosy Casino has

closed and its casino operations have been terminated. However, Belle is continuing to pursue its appeal of the District Court Order.

3. On June 25, 2014, the Debtors filed a Notice of Appeal of the Order Denying the Debtors' Motion for Entry of an Order Determining that the Threatened Non-Renewal of the Debtors' License and Closure of the Debtors' Business are Stayed by Either (A) the Automatic Stay of Bankruptcy Code Section 362 or (B) by Operation of Bankruptcy Code Section 108(a) and Iowa Code Section 17A.18(2), and for Enforcement Thereof entered by this Court on June 11, 2014 (the "Bankruptcy Court Order"). The said Notice of Appeal seeks review of the Bankruptcy Court Order only to the extent it determined that the automatic stay of Section 362 of the Bankruptcy Code does not apply to the July 1, 2014 casino closure date imposed by the IRGC Order. The Debtors are continuing to prosecute their appeal of that portion of the Bankruptcy Court Order.
4. The parties hereto take the following positions regarding the pending Dismissal Motion: (a) Debtors believe the Dismissal Motion should not be decided as long as the appeal of the Bankruptcy Court Order remains pending, (b) the IRGC has changed its position following the Court's status conference, and believes that the Dismissal Motion should be decided, and (c) MRHD and SCE believe the Dismissal Motion should be decided.
5. There are no additional disputed facts other than those discussed at the hearings held on June 9, 2014 and June 10, 2014.

Dated: August 6, 2014

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